

UNITED STATES DEPARTMENT OF COMMERCE

Pat nt and Trademark Offic

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

MOORE, W

Washington, D.C. 20231

APPLICATION NO. FILÍNG DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

NEB-154

HM12/0831

u9/249,543

02/12/99

EVANS

EXAMINER

GREGORY D WILLIAMS GENERAL COUNSEL NEW ENGLAND BIOLABS INC

NEW ENGLAND BIOCHS. 32 TOXER ROAD BEVERLY MA 01915 SEP 1 4 1999 89

ART UNIT PAPER NUMBER
1652

DATE MAILED:

08/31/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

ACTION: DEQUENCE

NEW ENGLAND BIOLABS, INC.

92 Yozer Rd. Beverly, MA 01915

Date Rec'd 9.2.99

Docketed For 9.15.99

EN 4



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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C MMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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		SP 14 1999 E	
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L		DATE MAI	

Commissioner of Patents

Please find below a communication from the EXAMINER in charge of this application.

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reason(s) set forth on the attached CRF Diskette Problem Report. Specifically, problems with designations required by the new rules are indicated in Item 10 of the attached Error Summary.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William W. Moore whose telephone number is (703) 308-0583. The examiner can be reached Monday through Friday from 9:00 AM to 5:30PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapura Achutamurthy, can be reached at (703) 308-3804. Papers related to this application may be submitted to Group 1800 by facsimile transmission. The faxing of such papers must conform with the notice published November 15, 1989 in the Official Gazette, 1096 OG 30. Informal and unofficial communications may be sent to the Art Unit 1652 FAX number, (703) 308-0294. Official filings should be sent to the Technical Center 1600 FAX number which is (703) 308-4556.

William W. Moore August 27, 1999

PONNATHAPU ACHUTAMURTHY SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1600 SEP 1 4 1999

Application No. <u>09/249,574</u>3

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

	,
	1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
	2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
	3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821()
V	4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
	5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
	6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
□	7. Other: SEC attached Ervar Report and Ervar Sum mary
Арр	licant must provide:
U	An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
	An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
U	A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)
For	questions regarding compliance with these requirements, please contact:
	Rules Interpretation, call (703) 308-1123 CRF submission help, call (703) 308-4212

Please return a copy of this notice with your response.

For Patentin software help, call (703) 308-6856

Raw Sequence Listing Error Summary

ERROR DETECT	TED SUGGESTED CORRECTION	SERIAL NUMBER: 09/	249545
ATTN: NEW RULES CASI	ES: PLEASE DISREGARD ENGLISH "ALPHA" HE	EADERS, WHICH WERE INSERTED BY	PTO SOFTWARE
1 Wrapped Nucleics	The number/lext at the end of each line "wrap		· · · · · · · · · · · · · · · · · · ·
	This may occur if your file was retrieved in a	- ·	(5)
	Please adjust your right margin to .3, as this		PIPE
2 Wrapped Aminos	The amino acid number/text at the end of eac	th line "wrapped " down to the next line	- 4 4
	This may occur if your file was retrieved in a		SEP 14 R
	Please adjust your right margin to .3, as this	· · · · · · · · · · · · · · · · · · ·	\ ₀ .
			PENT & TRADE
3 Incorrect Line Lengt	h The rules require that a line not exceed 72 ch	aracters in length. This includes spaces.	& TRAUG
	All lext must be visible on page.		•-
		·*•	
4 Misaligned Amino A	cldThe numbering under each 5th amino acid is a		
Numbering	between the numbering. It is recommended to	delete any tabs and uses spacing between	en the numbers.
5 Non-ASCII	This file was not saved in ASCII (DOS) lext, as	s required by the Sequence Rules.	
	Please ensure your subsequent submission is	saved in ASCII text so that it can be proc	essed,
6 Variable Length	Sequence(s) contain n's or Xaa's which n	represented more than one residue	
•	As per the rules, each n or Xaa can only repres		
	Please present the maximum number of each r		
	indicate in the (ix) features section that some r	- ·	
	• • • • • • • • • • • • • • • • • • • •	, and the second	
7 Wrong Designation	Sequence(s) contain amino acid or nuclei	ic acid designators which are not standard	ſ
	representations as per the Sequence Rules (Pk		
8 Skipped Sequences	Sequence(s) missing. If intentional, please	a use the following format for each atting	4
(OLD RULES)	(2) INFORMATION FOR SEQ ID NO:X;	a use the following format for Each skippe	a sedneuce:
•	(I) SEQUENCE CHARACTERISTICS:(Do not in	nsed any headings under "SEOUENCE C	MADACTEDISTICS
	(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X		INVOICHISTICS
	This sequence is intentionally skipped	•	
•	Please also adjust the "(iii) NUMBER OF SEQU	ENCES:" response to include the skipped	sequence(s).
9 Skipped Sequences	Sequence(s) missing, if intentional, please	use the following format for each skipped	í sequenca.
(NEW RULES)	<210> sequence id number		, sequentes.
	<100> sequence id number		
1	000	•	
} -		•	
10 Use of N's or Xzz's	Use of N's and/or Xaa's have been detected in the	ne Sequence Listing.	
(NEW RULES)	Use of <220> to <223> is MANDATORY if n's or	Xaa's are present	
*** *			.•
II Head Starter	_		
(NEW RULES)	Sequence(s) are missing this mandalon	y field or its response.	
(NEW ROLES)		•	~_
12 Use of <220>Feature	Sequence (a)	and paperly of the street	
(NEW RULES)	Sequence(s) are missing the <220>Feature Use of <220> to <223> is MANDATORY if <213>		
	(See "Federal Register," 6/01/98, Vol. 63	5, No. 104, pp. 29031-32)	
	(Sec. 1.823 of new Sequence Rules)		
13 Wrong Format		mat of the Old Sequence Pulse This to to	uslid sloce the
•	"Requirements for Patent Applications Containing		
	Federal Register Notice, Vol. 63, No. 104, June 1,		Discosults
	applies to applications filed on or after July 1, 1996		
	AKS-Biolechnology Systems Branc		



<212> TYPE: DNA

44

PAGE:

RAW SEQUENCE LISTING
PATENT APPLICATION US/09/249,543

DATE: 02/26/1999

TIME: 10:07:01

Input Set: I249543.RAW
Does Not Comply

Corrected Diskette Needec

This Raw Listing contains the General Information Section and up to first 5 pages.

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1
          Xu, Ming-Qun
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3
4
    <130> FILE REFERENCE: NEB-154
    <140> CURRENT APPLICATION NUMBER: US/09/249,543
5
    <141> CURRENT FILING DATE: 1999-02-12
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43
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DATE: 02/26/1999 PAGE: RAW SEQUENCE LISTING TIME: 10:07:01

PATENT APPLICATION US/09/249,543

Input Set: I249543.RAW

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PAGE: 3 RAW SEQUENCE LISTING DATE: 02/26/1999

PATENT APPLICATION US/09/249,543 TIME: 10:07:01

Input Set: I249543.RAW

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141		FEATURE:	
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144		thermoautotrophicum.	

PAGE: 4 RAW SEQUENCE LISTING DATE: 02/26/1999

PATENT APPLICATION US/09/249,543 TIME: 10:07:01

Input Set: I249543.RAW

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194
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DATE: 02/26/1999 RAW SEQUENCE LISTING PAGE: TIME: 10:07:01

PATENT APPLICATION US/09/249,543

Input Set: I249543.RAW

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SEQUENCE: 21
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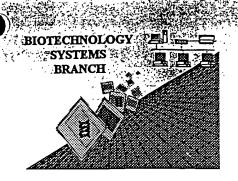
PAGĖ: 6

VERIFICATION SUMMARYDATE: 02/26/1999PATENT APPLICATION US/09/249,543TIME: 10:07:01

Input Set: I249543.RAW

Original Text Line ? Error/Warning

RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following CRF diskette:

Application Serial Number: 09/249,545

Art Unit / Team No.: 0/P4

Date Processed by STIC: 2/26/99

THE ATTACHED PRINTOUT EXPLAINS THE ERRORS DETECTED.

PLEASE BE SURE TO FORWARD THIS INFORMATION TO THE APPLICANTS BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANTS ALONG WITH A NOTICE TO COMPLY or,
- 2) CALLING APPLICANTS AND FAXING THEM A COPY OF THE PRINTOUT WITH A NOTICE TO COMPLY

THIS WILL INSURE THAT THE NEXT SUBMISSION RECEIVED FROM THEM WILL BE ERROR FREE.

IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE CALL:

ARTI SHAH 703-308-4212

Docket: NEB-154

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Evans, et al.

EXAMINER: W. Moore

SERIAL NO.:

09/249,543

GROUP:

1652

FILED:

February 12, 1999

FOR:

Intein-Mediated Protein Ligation of Expressed

Proteins

The Honorable Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

STATEMENTS IN SUPPORT OF FILING AND SUBMISSIONS IN ACCORDANCE WITH 37 C.F.R §§1.821.1-1.825

In accordance with 37 C.F.R. §§1.821-1.825, I hereby state that the content of the paper and computer-readable copy of the sequence listing submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively, are the same. I hereby state that the submission, filed in accordance with 37 C.F.R. §1.821(g) does not introduce new matter.

Respectfully submitted,

NEW ENGLAND BIOLABS, INC.

Gregory D. Williams (Reg. No.: 30901) Attorney for Applicant 32 Tozer Road

Beverly, MA 01915